

REMARKS

Applicants respectfully request further examination and reconsideration in view of the instant response. Claims 1-21 remain pending in the case.

Claims 1-21 are rejected. Claims 1, 8 and 15 are amended herein. No new matter has been added.

35 U.S.C. §103(a)

Claims 1-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent 6,243,707 by Humpleman et al., hereinafter the "Humpleman" reference, in view of United States Patent 6,567,807 by Robles et al., hereinafter the "Robles" reference. Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-21, as amended, is not unpatentable over Humpleman in view of Robles for the following rationale.

Applicant respectfully directs the Examiner to independent Claim 1, now amended, that recites that an embodiment of the present invention is directed to (emphasis added):

In a consumer electronic device that is coupled to a plurality of consumer electronic devices via a high-speed data bus, a method of scheduling and executing service-based requests, said method comprising steps of:

(a) receiving a service-based request from a user, wherein said service-based request does not indicate a consumer electronic device of said plurality of consumer electronic devices for carrying out said service-based request;

(b) constructing a service request list that stores a plurality of events to be executed chronologically and sequentially, wherein said plurality of events are device-specific and wherein said plurality of events are necessary for carrying out said service-based request;

(c) determining whether said service request list conflicts with another service request list; and

(d) provided that service request list does not conflict with said another service request list, storing said service request list and executing said plurality of events chronologically and sequentially according to said service request list.

Independent Claims 8 and 15 now recite a similar limitation. Claims 2-7 that depend from independent Claim 1, Claims 9-14 that depend on independent Claim 8, and Claims 16-21 that depend from independent Claim 15 provide further recitations of the features of the present invention.

Applicants respectfully assert that the combination of Humpleman in view of Robles does not teach, describe or suggest the claimed invention. For instance, Humpleman and the claimed invention are very different. Applicant understands Humpleman to teach a method and apparatus for creating home network macros. In effect, Humpleman teaches a control apparatus that can perform a sequence of operations over a home network by operation of a single button on the control apparatus. More particularly, Humpleman teaches that the user explicitly selects a device for use in initiating a service.

Applicants understand Humpleman to provide a session manager that provides an interface between a user and a home network. The session

manager allows a user to command devices of the home network to perform

services (col. 14, lines 20-29). Humpleman teaches that a “service is a particular function that can be performed by one or more home devices ... connected to the network” (col. 15, lines 43-46). In particular, in order to initiate a service, the user selects a particular home device of the home network (col. 15, lines 46-58). In other words, Humpleman teaches a session manager for controlling selected hardware. Specifically, Humpleman teaches that the control of the hardware is device-specific, and is effectuated for controlling specific selected devices.

For instance, Figures 6 and 7 of Humpleman depict hardware devices. These hardware devices are subject to the control of a user in response to the user selecting a device. With reference to Figure 10, a user selects a device button 712 (e.g., Dad’s TV) to control the function of the selected device (col. 15, lines 50-60). In response to selecting a device, the session manager obtains the particular capabilities of the selected device (col. 16, lines 6-29). The session manager allows a user to control a selected device or devices to perform a specific purpose (col. 19, lines 24-27). In particular, Applicants respectfully assert that the control of the devices of the home network as taught in Humpleman are device-specific. For example, consider the example described at col. 20, lines 21-39 of Humpleman. A user selects two devices (a DTV and a DVCR) to perform a particular service (playing a video on the DTV). Specifically, the user must select both devices, and must select the PLAY command of the DVCR to play the video on the DTV. Accordingly, Applicants

respectfully submit that each of these commands effectuated by the user are device-specific.

In contrast, the present invention as recited in amended independent Claim 1, and similarly amended independent Claims 8 and 15, provides the limitation of "receiving a service-based request from a user, wherein said service-based request does not indicate a consumer electronic device of said plurality of consumer electronic devices for carrying out said service-based request" (emphasis added).

In particular, a service-specific request identifies a service that a user desires to be performed. As described in the present application, a service refers to systems and methods of providing users with content accessible by the network and use of devices of the network (page 16, lines 9-11). Embodiments of the present invention will perform the device-specific events based on a service-specific request. For example, a service request could be a user requesting delivery of a particular movie to a particular room. The user would request a movie and a room, and embodiments of the present invention would translate the service-specific request into device specific commands, such as turning on the television and using the DVD player to play the movie (page 16, lines 11-20; and page 17, lines 9-14). In particular, the user is not required to submit any device-specific commands (page 16, lines 1-4).

Accordingly, a service-specific request allows a user to request a service or content without being required to input device-specific commands.

As described above, Applicants understand Humpleman to describe a system for controlling selected home devices of a home network. In particular, a user selects a device or devices to initiate services associated with the selected device. Applicants respectfully assert that the “services” of Humpleman or not the “services” as described and claimed in the present invention. For instance, the services of Humpleman are device-specific, requiring a user to select a device in order to initiate a service. In contrast, the services of the present invention are not device-specific, and a user selects a service without indicating any associated device. In particular, “users can select the content or service available from the network without regard to the devices that contain and provide the service” (page 16, lines 1-4; emphasis added). Moreover, by teaching a system for controlling home devices of a home network that require the selection of at least one home device, Humpleman teaches away from the claimed invention.

Applicant respectfully submits that Humpleman does not teach or suggest a method of scheduling and executing service-based requests including “receiving a service-based request from a user, wherein said service-based request does not indicate a consumer electronic device of said plurality

of consumer electronic devices for carrying out said service-based request,” as claimed.

Moreover, the combination of Humpleman and Robles fails to teach or suggest the claimed embodiments because Robles does not overcome the shortcomings of Humpleman. Robles, alone or in combination with Humpleman, does not show or suggest a method of scheduling and executing service-based requests including “receiving a service-based request from a user, wherein said service-based request does not indicate a consumer electronic device of said plurality of consumer electronic devices for carrying out said service-based request” as claimed (emphasis added). As described above, Humpleman teaches a system for controlling selected home devices of a home network.

Applicant understands Robles to teach an event manager for providing investor relations event scheduling. In particular, Robles does not teach, describe or suggest a method of scheduling and executing service-based requests including “receiving a service-based request from a user, wherein said service-based request does not indicate a consumer electronic device of said plurality of consumer electronic devices for carrying out said service-based request” as claimed (emphasis added).

Applicant respectfully asserts that nowhere does the combination of Humpleman and Robles teach, disclose or suggest the present invention as recited in amended independent Claims 1, 8 and 15, that these claims overcome the rejection under 35 U.S.C. § 103(a), and that these claims are thus in condition for allowance. Therefore, Applicant respectfully submits that the combination of Humpleman and Robles also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-7 that are dependent on allowable base Claim 1, Claims 9-14 that are dependent on allowable base Claim 8, and Claims 16-21 that are dependent on allowable base Claim 15. Applicant respectfully submits that Claims 2-7, 9-14 and 16-21 overcome the rejection under 35 U.S.C. § 103(a) as these claims are dependent on allowable base claims.

CONCLUSION

Based on the arguments presented above, Applicants respectfully assert that Claims 1-21 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
WAGNER, MURABITO & HAO L.L.P.

Dated: 4 Aug, 2005



Matthew J. Blecher
Registration No. 46,558

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060